

## **REMARKS**

The foregoing Amendments to the specification correct clerical reference numeral errors at page 4, line 3, page 5, lines 19 and 23, and page 6, line 15 of the application as filed. These corrections clearly are clerical in nature, would have been self-evident from the text and drawings as filed, do not in any way alter the scope of the application, and do not present any question of new matter.

A drawing correction also accompanies this Amendment to correct the lead line associated with the reference numeral "154" in FIG. 9. This correction clearly is supported at page 7, lines 15-16 of the application text as filed, does not alter the scope of the disclosure, and does not present any question of new matter.

Turning to the restriction requirement set forth in the Office Action, the Examiner has required restriction among claims 1-38 of the application as filed, with claims 18-22, 26-27 and 35-36 being designated Group I, claims 1-17, 22-25 and 28-34 being designated Group II, claim 37 being designated Group III, and claim 38 being designated Group IV. It is noted that claim 22 is included in both Groups I and II as set forth in the Office Action. It is assumed that the intent was to include claim 22 in Group II along with its dependencies. Therefore, this response treats claim 22 as being included in Group II, and not in Group I.

Applicant does not understand, and therefore traverses, the distinction attempted to be drawn by the Examiner between claim Groups I and II. The Examiner suggests that the claims of Group I are "drawn to a dispensing closure for mounting on a container," while the claims of Group II are "drawn to a closure." In point of fact, independent claims 18 and 26 of Group I are directed to a closure and container package,

including a container and a closure, while independent claim 35 is directed to a closure for mounting on a container. In designated Group II, independent claims 1, 11 and 22 are directed to a closure and container package, including a container and a closure, while independent claim 28 is directed to a closure for mounting on a container. In other words, both designated claim Groups I and II contain both package and closure claims, and there is no apparent reason for distinguishing between these claim Groups. Stated differently, the inventions of claim Groups I and II are not independent or distinct as claimed.

Applicant elects claim Group II for prosecution in the present application. This election is made with traverse relative to the claims of designated Group I for reasons set forth above, and without traverse relative to the claims of designated Groups III and IV.

Please charge any fees associated with this submission to Account No. 15-0875 (Owens-Illinois).

Respectfully submitted,

REISING, ETHINGTON, BARNES,  
KISSELLE, P.C.

By 

Robert C. Collins  
Reg. No. 27,430  
Telephone (248) 689-3500  
Facsimile (248) 689-4071

Enclosures:

Replacement Drawing Sheet for FIGS. 7-9  
Annotated Mark-Up Showing Correction to FIG. 9

### **AMENDMENTS TO THE DRAWINGS**

A Replacement Page for FIGS. 7-9 accompanies this Amendment. Also accompanying the Amendment is an Annotated Mark-Up showing the correction of the lead line associated with reference numeral "154" in FIG. 9.

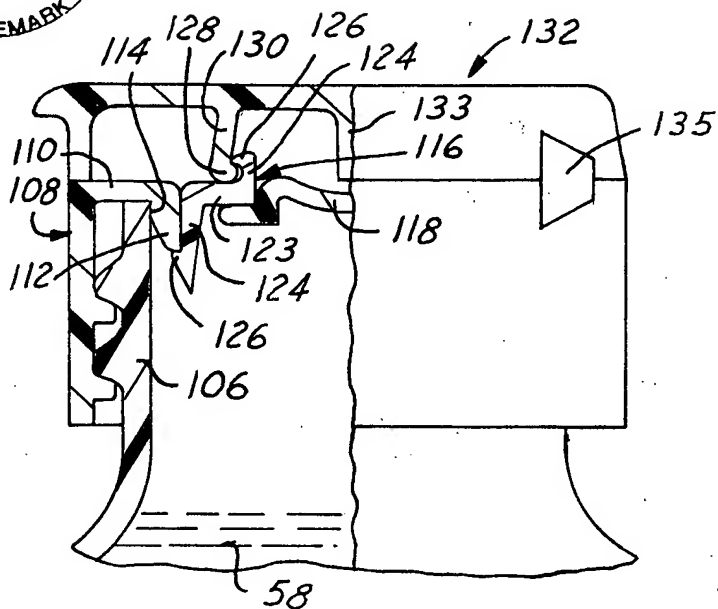


FIG. 7

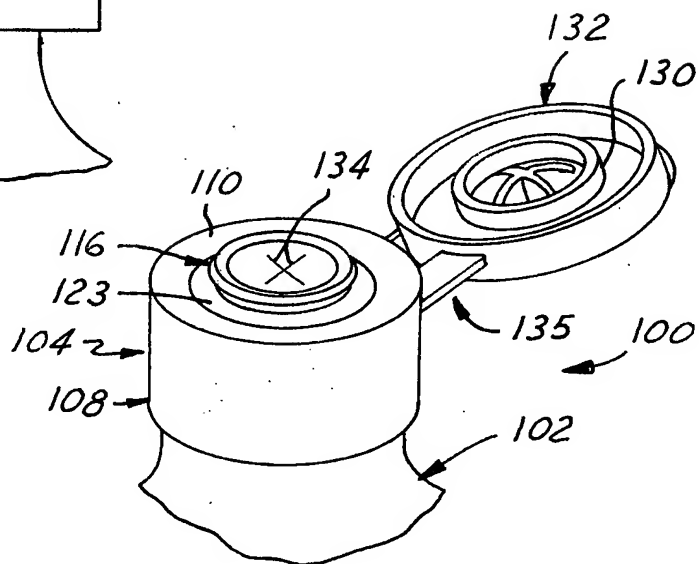


FIG. 8

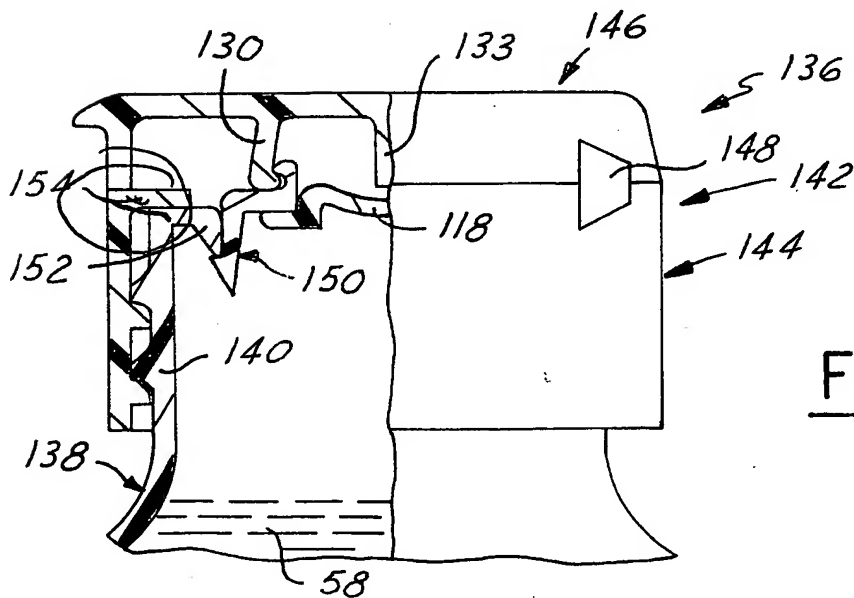


FIG. 9